



ARIZONA BOARD OF OCCUPATIONAL THERAPY EXAMINERS

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Regular Session Minutes

January 9, 2009

Board Members Present: Geri DeWaard, OTR, Chair
Rebecca Grabski, OTA Vice-Chair
John Tutelman, Public Representative
Kathryn Babits, OTR Member
Deborah Devine, Public Representative

Staff Present: Wendy Hammon, Executive Director
Vicki Egurrola, Administrative Assistant

Legal Representative: Seth Hargraves, Assistant Attorney General

Call to Order

The regularly scheduled meeting of the Arizona State Board of Occupational Therapy Examiners was called to order at 1:30 p.m. Geri DeWaard, Chair presiding.

Approval of Minutes

Regular Session Minutes of December 12, 2008

Mr. Tutelman moved to approve the December 12, 2008 regular session meeting minutes as amended. Ms. Babits seconded the motion. The motion passed 5-0.

Initial Review of Complaints

Three complaint initial reviews were conducted by the Board.

Jamson Hendler – Mr. Hendler was not present for this review, however, Board staff did advise the Board that he had contacted the office stating that he had moved to Colorado and would not be present but would be available by phone if necessary.

The Board discussed the allegations made against Mr. Hendler. After considerable discussion it was determined that there should be an investigation conducted. Ms. Grabski made a motion to open an investigation which was seconded by Ms. Devine. The motion carried 5-0.

Shannon Brown – Present for this review were Ms. Brown and her legal counsel, Ms. Sato.

The Board discussed the allegations against Ms. Brown. After a lengthy discussion Mr. Tutelman moved to table the discussion and invite several other involved persons to the next board meeting to garner more information. Ms. Grabski seconded the motion and it carried 5-0.

Exceptional Education Services – There were no representatives present from Exceptional Education Services however, Ms. Hougland who filed the complaint was present. After fact finding it was determined that the circumstances involved in this matter do not fall under the purview of the Board. Therefore, this matter will be forwarded to the appropriate entities.

Open Complaints

Shauna Lacanlale, OTR – Mr. Hargraves drafted the requested consent agreement which the office staff sent to Ms. Lacanlale. The document was then returned to the office by the USPS indicating that they had tried to deliver it three (3) times. Office staff then updated the Board that Ms. Lacanlale had been in contact with the office. She has explained that she was away from her residence and that as a result the consent agreement was returned to the office by the post office. Office staff have resent the consent agreement which Ms. Lacanlale has stated she will sign and return to the Board immediately.

Disciplinary Status Report

Shawn A. Keams, OTA

Shawn A. Keams, OTA is currently on probation for a violation of the Arizona Revised Statutes governing the practice of occupational therapy. Terms and conditions of probation are monitored monthly for compliance with a signed Consent Agreement.

The Board staff has had to contact Mr. Keams monthly to get him to forward his AA meeting attendance documents. This month the staff did not do this to see if Mr. Keams would comply with his consent agreement. He did not. Therefore, the Board has requested that a notice of non-compliance be issued and that Mr. Keams receive an invitation to appear before the Board at its next meeting.

Complaint No. 07-135-B Cody DeGuzman, OTA

Mr. DeGuzman did submit his request to have his probation terminated. Mr. Tutelman moved to terminate the probation of Mr. DeGuzman. Ms. Devine seconded the motion. The motion passed 5-0.

Substantive Review, Discussion, and Vote Re: Applications For Licenses as Follows:

a. Initial Applications

Ms. Grabski moved to approve the initial applicants listed on the January 2009 “initial applicant list”. Ms. Devine seconded the motion. The motion passed 5-0.

b. Renewal of Licenses

Mr. Tutelman moved to approve the renewal applicants listed on the January 2009 “renewal of licensees list”. Ms. Grabski seconded the motion. The motion passed 5-0.

c. Limited Permits

Ms. Babits moved to approve the Limited Permit applicants listed on the January 2009 “limited permit licensees list”. Ms. Grabski seconded the motion. The motion passed 5-0.

Other Board Business and Reports

- a. The Board, in compliance with statute, took nominations for the Chair and Vice-Chair positions for the upcoming year. Ms. Babits moved that Geri DeWaard continue as Chair with Ms. Devine seconding the motion. Ms. DeWaard accepted the nomination and the vote was unanimous.
- b. Ms. Babits moved that Rebecca Grabski continue as Vice-Chair with Mr. Tutelman seconding the nomination. Ms. Grabski accepted the nomination and the vote was unanimous.
- c. Status of Rules

Ms. Hammon informed the Board that she had conducted a three year review of the revenue for the Board and based on the finding could find no justification for raising the fees at this time. She advised the Board that she will convey this change to the rule writer so that the revisions can proceed.

d. Personnel; Matters

The Board was advised that the Governor’s Office had approved the hiring of Wendy Hammon as Executive Director and that all paperwork had been completed.

In accordance with the Board’s request, Ms. Egurrola reported that so far business was on target and that the office was functioning fine.

Review, discussion and Possible Action on Administrative Matters

a. November revenue and expenditure report

The latest Revenue and Expenditure Report was provided to the Board. There was nothing of consequence on the report.

b. Administrative Project Status Report

Development of form for updating Board on administrative matters.

In response to the prior month’s discussion, Ms. Hammon presented the proposed format for tracking administrative projects but stated that it was a work in process and may be altered or changed as needed to make it more effective for Board review. The Board requested that a date be added to the form.

Update on Status of Rule Revisions

As stated previously the Board was updated on the status of the rules.

Provide Board with rule making process

As reported Mr. Hargraves had completed this project and it was distributed to the Board members. Two of the members did not receive their copy so copies were provided to them at the close of the meeting.

Listen to tape from Roberta Schoen

Ms. Hammon reported that she had completed this task and that the tape did not contain anything that should be of concern to the Board or that would require Board action.

Send letter to Roberta Schoen

Mr. Hargraves completed this task. To date there have been no further contacts from Ms. Schoen.

Write Consent Agreement for Lacanlale

Mr. Hargraves completed this task. See above for further information.

Executive Director – Part Time

As reported previously this task was completed and a monthly report of office operation will be provided to the Board.

c. Agency Operations and Staffing

This item has been included in the Administrative Project Status Report and will be reported on through that document.

Review Meeting Schedule

No changes were made to the meeting schedule in February and March.

Call to the Public

A call for public comment was issued by the Board with no response.

Adjournment

There being no further business before the Board, the meeting was adjourned at 4:04 p.m.

Respectfully submitted,

Wendy Hammon
Executive Director